

OFFICIAL GAZETTE



GOVERNMENT OF GOA

SUPPLEMENT

GOVERNMENT OF GOA

Finance (Rev. & Cont.) Department

Notification

3/1/84-Fin (R & C)/Part

Government is hereby pleased to amend the Interest-free Entertainment Tax Deferment Scheme published in the Official Gazette, Series I, No. 39 dated 29-12-1988 vide Notification No. 3/1/84-Fin (R & C) dated 15-12-1988 (hereinafter referred to as the 'said Scheme'), as follows:—

In the said Scheme, after clause 3.7, the following proviso shall be inserted namely:—

"Provided that the Government may, in respect of the eligible proprietors of cinema theatres under this Scheme, for reasons to be recorded in writing, extend the date of payments of annual instalments by a period of one year".

By order and name of the Governor of Goa.

S. V. Madkaikar, Under Secretary (Fin-Exp.).

Panaji, 26th June, 1995.

Law (Legal and Legislative) Department

Notification

7-4-94/LA

The Goa Public Libraries Act, 1993 (Goa Act 14 of 1995) which has been passed by the Legislative Assembly of Goa on 26-11-1993 and assented to by the Governor of Goa on 29-7-1995, is hereby published for general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 2nd August, 1995.

THE GOA PUBLIC LIBRARIES ACT, 1993

(Goa Act No. 14 of 1995) [29-7-1995]

An
Act

to provide for the establishment, maintenance and development of public libraries in the State of Goa and for matters ancillary thereto.

Be it enacted by the Legislative Assembly of Goa in the Forty fourth year of the Republic of India as follows:—

1. *Short title, extent and commencement.*— (1) This Act may be called the Goa Public Libraries Act, 1993.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the State Government may, by notification, in the Official Gazette appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires. —

(a) "Aided Library" means a public library run by private initiative, receiving State Government assistance as per existing rules;

(b) "Council" means the State Library Council constituted under sub-section (1) of section 4;

(c) "document" means embodied thought, i. e. record of work on paper or other material, fit for physical handling, transport across space, and preservation through time, and includes the following conventional and non-conventional thought embodiments: printed books, manuscripts, braille stenographs, music in notation, ciphers (where graphic is phonetic symbols), drawing pictures, maps, microfilms, micro-cards, micro-fiche, cassettes, audio-visual documents, floppy discs (non-book material) newspapers, periodicals and other serial documents.

(d) "book" includes—

(i) every volume, part or division of a volume, document be it a printed work or a manuscript or a micro-film, or a video/audio cassette or a photograph or a compact disc;

(ii) every sheet of music, chart or plan separately printed or lithographed;

(iii) newspapers, periodicals and other such materials.

(e) "book service" means reference service, lending out books to members of public libraries, helping groups with books, helping people to know the whereabouts of a book or books and helping them to procure the books they need.

(f) "Departmental Library" means a library maintained by a Department of the Government;

(g) "Government" means the Government of the State of Goa;

(h) "Public Library" means a library, which permits members of the public to use it for reference or borrowing without charging fee or subscription;

(i) "reference service" means assistance from the library staff to the reader or user of the library to enable him to know, locate and consult books and other materials and to secure from such books and materials information relevant to this purpose;

(j) "State" means the State of Goa;

(k) "Year" means the financial year.

3. *Establishment of Library Service.*— (1) The Government shall establish, maintain and develop Library Service in the State.

2) For carrying out the purpose of sub-section (1), the Government may,—

(a) promote reading habit and the use of books for the benefit of the people;

(b) offer in its Public Library an adequate book, and reference service;

(c) acquire for its Public Library sufficient number of books;

(d) establish and sponsor organisations and institutions with a view to promote public interest and participation in the Public Library;

(e) give adequate library service to all Government Departments and Offices subordinate or attached to these Departments;

(f) provide library training facilities to ensure adequately trained personnel for libraries in the State;

(g) provide or secure suitable conditions of service for the library personnel in the State;

(h) promote co-operation between the public libraries and cultural and educational Institutions;

(i) promote production and publication of useful literature;

(j) strengthen and start the Libraries like prison libraries, hospital libraries for patients and home delivery libraries;

(k) promote mobile libraries, audio libraries for blind and special libraries for hearing impaired, text-book library, children library computerization, micro-filming of rare documents;

(l) make special efforts to create the love for books in the masses and specially in children and the youth;

(m) promote the practice of adoption of libraries by the public undertakings sectors like Banks;

(n) make compulsory enrolment of every student in the Public Libraries on reaching standard eighth.

(o) compulsorily require to produce enrolment/membership certificate of the Public Libraries by the unemployed youth during the registration in the Employment Exchange for those jobs where literacy is required.

(3) The Government shall discharge its functions and responsibilities under this section through—

- (a) The State Library Council;
- (b) The State Library Development Cell;
- (c) The State Public Library; and
- (d) The Co-operating Institutions.

4. *Constitution and establishment of Council.*— (1) With effect from such date as the Government may, by notification, specify in this behalf, the Government shall establish, for the purpose of this Act, a Council to be known as State Library Council, with headquarters at such place as the Government may specify.

(2) The Council shall consist of—

(i) The following ex-officio members:—

- (a) the Minister-in-charge of libraries, who shall be the Chairman;
- (b) the Secretary, Education;
- (c) the Secretary, Finance;
- (d) the Chairman or President, State Library Association;
- (e) Curator/State Librarian, who will be the Member Secretary;
- (f) Director, Directorate of Historical Archives and Archaeology;
- (g) Librarian, Goa University;

(ii) Two Members of the State Legislative Assembly interested in Library development to be elected by the Legislative Assembly of Goa.

(iii) One Member who is expert in Library Science to be nominated by the Chairman of the Council;

(iv) One Member of the voluntary organisation involved in the Library on literature;

(3) The Council shall advise the Government on all matters mentioned under section 3 and also in regard to promotion and development of Library service in the State.

(4) The Council shall advise the State Library Development Cell in all technical matters relating to the Library, development and organisation.

(5) The Council shall meet at least twice in a year, but not more than six months shall intervene between two meetings.

(6) A nominated member of the Council shall hold office for the period of four years.

(7) When any member dies, resigns, becomes incapable of acting as a member except the member referred to in item (ii) of sub-section (2) of Section 4 or is otherwise removed, the Government may nominate any other person for the unexpired period of the term of such member.

(8) The Council shall frame regulations for transacting its business and matters in respect of which regulations are to be framed by it under this Act and may appoint Committees.

5. State Library Development Cell.— (1) The Government shall constitute a State Library Development Cell which shall be a department of the Government. The functions of the State Library Development Cell shall be as follows:—

(a) to prepare the annual as well as short or long term plan for libraries in the State in co-operation with the development and other concerned departments of the Government and of the Central Government;

(b) to prepare and publish descriptive and statistical reports on the working of all the Public Libraries;

(c) to arrange or to secure training of various categories of library employees;

(d) to conduct inspection of and render advisory service to the district taluka and other libraries in the State;

(e) to administer the system of grant-in-aid to the aided libraries, and to undertake their inspection.

(2) The Head of the State Library Development Cell (hereinafter called the State Librarian/Curator shall be a person with a First Class Masters Degree in Library Science of a recognised University having an experience of at least 10 years as Grade I Librarian in the State Libraries/Subordinate Libraries and shall be appointed by the Government.

(3) The State Librarian/Curator shall perform the following duties:—

(a) he shall participate in all meetings of the Council and the Committees which may be set up by the Council;

(b) he shall be responsible for carrying out such of the recommendations of the Council as have been approved by the Government;

(c) he shall perform such other duties as may be prescribed in the regulations made by the Council.

(d) subject to any rules made by the Government State Library Development Cell;

(i) shall be responsible for implementing the programme of work for the year as approved by the Council;

(ii) shall administer the Grant-in-aid scheme for aided libraries;

(iii) shall decide where district and other Libraries in the State are to be set up and approve the constitution and bye-laws of a Public Library;

(iv) may absorb an aided library into the Public Library of the State,

6. State Library.— The Government shall by an order establish a State Library located in the State.

7. Book Stock of the State Library.— (1) The stock of books in the State Library shall consist of books obtained through any legislation, for the time being in force providing for compulsory acquisition of two copies of books of every author published in the State, books acquired otherwise by purchase, exchange, gifts and bequests and its own publications.

(2) Materials in the State Library may also include films, filmstrips, slides, tape and gramophone records, maps, charts, bulletins, photos, pictures, compact disc.

8. Certain Volumes to be delivered to State Librarian/Curator.— (1) The Head of a Department in the Government shall deliver to the State Library all books in his office no longer needed there, but which in the opinion of the State Librarian/Curator will be of use in the State Library.

(2) All books and other materials which have to be purchased by the State Librarian/Curator shall only be purchased on the advice of a Book Selection Committee to be constituted by the Council.

9. Department of State Library.— (1) The State Library shall have at least two sections, viz. State Reference Library Section and the State Lending Library Section.

(2) The functions of the State Reference Library Section shall be as follows:—

(a) to maintain a representative collection of reference books and publications such as those mentioned in clause (b) of sub-section (2) of section 3;

(b) to procure and maintain in a readily available manner all books, reports, especially the reports of the House of Parliament and the State Legislative Assembly and Central and State Governments reports and publications together with their indices as well as other reference materials needed for consultation;

(c) to maintain a catalogue of the important academic libraries in the State;

(d) to undertake bibliographical work, including special bibliographies for the use of scholars and research workers, and to prepare useful catalogues and bibliographies in the regional languages;

(e) to offer, in co-operation with departmental and research libraries, book and bibliographical service to institutions, groups and individuals engaged in higher studies and research;

(f) to promote library service for children;

(g) to organise library conferences and book exhibitions;

(h) to provide technical assistance and information to the district and other librarians in the State;

(i) to act as the centre of book exchange and inter-library lending within and outside the State;

(j) to prepare and issue reports on the working of libraries, especially the public libraries in the State.

(3) The State Reference Library shall not lend books for use outside the premise of the library.

(4) The functions of the State Lending Library Section shall be as follows:—

(a) to render home-lending service;

(b) to replenish from time to time the stocks of district libraries;

(c) to give book service to Cultural and Educational Institutions and Social Welfare Organisation;

(d) to arrange book-exhibitions and book displays on suitable occasions;

(e) to publicise its book-stock and to arrange for extension service;

(f) to publish library reports and literature.

10. *Officer in charge of the State Library.*— (1) The head of the State Library Development Cell shall also be the officer in charge of the State Library and who shall:—

(a) be responsible for the management of all the departments of the State Library;

(b) to maintain the stock of books and conduct all approved activities of the State Library;

(c) advise the Council on all technical matters;

(d) submit to the Council a report on the working of the Library during the previous financial year, which report shall also include the detailed statement of receipts and expenditure on account of State Library.

(2) The State Librarian shall be assisted by professional, technical and general staff running the State Library.

11. *The District Library.*— (1) There shall be a District Library in each District rendering book service to the residents of a District.

(2) In addition to the District Library under sub-section (1), there shall also be the following types of Libraries, name:—

(a) Municipal Library,

(b) Taluka Library and

(c) Village Library.

12. *Functions of a District Library.*— The functions of a District Library shall be as follows:

(a) to provide reference and bibliographical service in the district.

(b) to extend library service in the urban and rural areas by setting up taluka branch libraries, mobile libraries and deposit centres and to extend similar service in the district through the various taluka libraries and other library units.

(c) to feed taluka libraries with supply of suitable books.

(d) to co-operate with and help the aided libraries in the district in accordance with the instructions of the State Librarian/Curator;

(e) to co-operate with other institutions and groups especially the social, educational institutions and workers, in promoting adult education and library mindedness among the people;

(f) to arrange conferences, camps and seminars of librarians and other library workers in the district.

13. *District Library Committee.*— (1) There shall be a District Library Committee for each District Library in the State which shall be constituted in accordance with such regulations as may be framed by the Council.

(2) The District Library Committee shall, subject to the approval of the authority, frame its rules of business and procedure for carrying out the functions of the District Library.

(3) The functions of a District Library Committee shall be as follows:—

(a) to supervise the work of the District Library and the various library units;

(b) to start branch libraries;

(c) to take all necessary steps to develop public library service in the district;

(d) to employ in accordance with the regulations framed by the authority, staff for the District Library;

(e) to make provisions for purchase of books, films, film-strips, records, furniture, equipment, book-mobile and other material for the District Library;

(f) to acquire, purchase or hire land or other properties and effects, and build, alter, repair and extend buildings and fit up and furnish the same with requisite furniture, fittings and conveniences;

(g) to accept any endowment, bequest or gift for the purpose of promotion and development of library service as envisaged in this Act;

(h) to organise or participate in conferences and exhibitions relating to libraries and spent such sum as may be reasonable in connection with such conferences and exhibitions and depute any person or persons to attend any such conference or exhibition;

(i) to provide accommodation for lectures and other cultural and educational activities of short duration in the premises of libraries in the District Library;

(j) to arrange library timings provided that the number of hours of daily service to the public shall not be less than the minimum laid down by the Authority;

(k) to extend library service in its area by setting up branch libraries, mobile libraries and deposit centres.

(4) If any question arises whether a particular matter is or is not within the purview of power of District or any other Library Committee the decision of the Council thereon shall be final.

(5) The District Library Committee shall meet as often as the Chairman thereof may decide to summon it, but preferable at least four times a year.

14. *Taluka Library Committee.*— (1) There shall be Taluka Library Committee for each Taluka Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned.

(2) The Taluka Library Committee shall, subject to the approval of the District Library Committee concerned frame its rules of business and procedure.

15. *Village Library Committee.*— (1) There shall be a Village Library Committee for each Village Library and its constitution and functions shall be such as may be laid down in rules framed by the District Library Committee concerned.

(2) The Village Library Committee shall, subject to the approval of the District Library Committee concerned, frame its rules of business and procedure.

16. *Employees of the Public Library.*— (1) The Government shall create cadres for public Library employees similar to those of the employees of Government Departments and lay down the qualifications and the other terms and conditions of service for those cadres.

(2) Within a year of its first constitution, the Council shall frame service rules for the various categories of library employees.

17. *Library Fund.*— (1) The Government shall constitute a fund called Library Fund.

(2) The Library Fund shall consist of—

(a) Contribution made by the Government;

(b) Any grants given by the Government of India to the State Government for Development of Public Library;

(c) Any special grants given by the Government;

(d) Any contribution of gifts made by the public for the development of Public Libraries.

18. *Library Cess.*— (1) The Government shall levy a library cess in the form of a surcharge on the Excise Duty payable under Goa Excise Duty Act, 1964 at the rate of 0.50 (paise fifty only) per proof litre of the (I.M.F.L.) Indian Made Foreign Liquor and at the rate of Rs. 0.50 (paise fifty only) per bulk litre of beer.

(2) The cess levied under sub-section (1) shall be collected to utilise for the purpose of implementation of this Act by the Government.

19. *Public Library Finance.*— The Government shall frame the annual budget of Public Libraries in the State within the broad frame work of the plan, and shall provide one per cent of the Education Budget for promoting the service of Public Libraries in the State.

20. *Framing of Rules and Regulations.*— The Council shall prepare model bye-laws, rules and regulations regarding the administration of library service in the State.

21. *State Library Association.*— (1) Council shall recognise only one State Library Association as Cooperating Institution, the constitution of which shall be approved by the Council.

22. *Power to make Rules.*— (1) Government may by notification make rules for carrying out the purpose of this Act.

(2) Every rule made under this Section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the

successive sessions aforesaid, the House agrees in making any modification in the rules or the House agrees that the rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under this rule.

Secretariat Annexe,
Panaji.

Dated: 3-8-1995.

B. S. SUBBANNA,
Secretary to the Government of Goa,
Law Department (Legal Affairs).